

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

<b>In re:</b>	§	<b>Chapter 11</b>
	§	
<b>W. R. GRACE &amp; CO., a Delaware Corporation, <i>et al.</i>,</b>	§	<b>Jointly Administered</b>
	§	<b>Case No. 01-01139 (JKF)</b>
	§	
<b>Debtors.</b>	§	<b>Objection Deadline:</b>
	§	<b>March 29, 2010</b>
	§	

**NOTICE OF MONTHLY FEE AND EXPENSE INVOICE**

**To: The Notice Parties Listed on Exhibit A hereto**

Name of Applicant:	Warren H. Smith & Associates, P. C.
Authorized to Provide Professional Services to:	The United States Bankruptcy Court
Date of Retention:	March 18, 2002
Period for which compensation and/or reimbursement is sought:	February 1, 2010 through February 28, 2010

**Summary of Monthly Fee and Expense Invoice Statements for Compensation Period:**

Date Filed	Period Covered	Requested		Paid	
		Fees	Expenses	Fees	Expenses
05/08/2002	March 1, 2002 – March 31, 2002	\$2,889.50	-0-	\$2,889.50	-0-
05/08/2002	April 1, 2002 – April 30, 2002	\$18,448.00	\$100.73	\$18,448.00	\$100.73
6/11/2002	May 1, 2002 – May 31, 2002	\$50,706.00	\$12.68	\$50,706.00	\$12.68
7/9/2002	June 1, 2002 – June 30, 2002	\$42,317.00	\$249.48	\$42,317.00	\$249.48
8/8/2002	July 1, 2002 – July 31, 2002	\$43,808.50	\$1,001.27	\$43,808.50	\$1,001.27
9/19/2002	August 1, 2002 – August 30, 2002	\$36,301.02	\$526.69	\$36,301.02	\$526.69
10/16/2002	September 1, 2002 – September 30, 2002	\$56,015.00	\$572.44	\$56,015.00	\$572.44
11/18/2002	October 1, 2002 – October 31, 2002	\$47,896.50	\$1,314.90	\$47,896.50	\$1,314.90
12/13/02	November 1, 2002 – November 30, 2002	\$41,540.00	\$1,286.94	\$41,540.00	\$1,286.94
1/21/03	December 1, 2002 – December 31, 2002	\$38,614.50	\$0.00	\$38,614.50	\$0.00
2/17/03	January 1, 2003 – January 31, 2003	\$44,241.50	\$623.83	\$44,241.50	\$623.83
3/20/03	February 1, 2003 – February 28, 2003	\$39,703.50	\$930.68	\$39,703.50	\$930.68
4/18/03	March 1, 2003 – March 31, 2003	\$18,866.00	\$76.67	\$18,866.00	\$76.67
05/27/03	April 1, 2003 – April 30, 2003	\$22,519.00	\$951.12	\$22,519.00	\$951.12
06/05/03	May 1, 2003 – May 31, 2003	\$11,912.50	\$79.98	\$11,912.50	\$79.98
07/08/03	June 1, 2003 – June 30, 2003	\$17,623.50	\$119.11	\$17,623.50	\$119.11
08/13/03	July 1, 2003 – July 31, 2003	\$12,802.50	\$642.74	\$12,802.50	\$642.74
09/15/03	August 1, 2003 – August 31, 2003	\$15,136.00	\$157.28	\$15,136.00	\$157.28
10/08/03	September 1, 2003 – September 30, 2003	\$23,168.00	\$297.52	\$23,168.00	\$297.52
11/11/03	October 1, 2003 – October 31, 2003	\$5,107.00	\$547.19	\$5,107.00	\$547.19
12/10/03	November 1, 2003 – November 30, 2003	\$11,605.00	\$118.13	\$11,605.00	\$118.13
01/13/04	December 1, 2003 – December 31, 2003	\$10,316.50	\$157.39	\$10,316.50	\$157.39

02/12/04	January 1, 2004- January 31, 2004	\$10,599.00	\$56.54	\$10,599.00	\$56.54
03/08/04	February 1, 2004- February 29, 2004	\$12,038.50	\$369.90	\$12,038.50	\$369.90
04/08/04	March 1, 2004- March 31, 2004	\$7,875.50	\$216.00	\$7,875.50	\$216.00
05/07/04	April 1, 2004- April 30, 2004	\$9,795.00	\$972.93	\$9,795.00	\$972.93
06/07/04	May 1, 2004- May 31, 2004	\$22,386.00	\$91.40	\$22,386.00	\$91.40
07/07/04	June 1, 2004- June 30, 2004	\$17,039.00	\$486.07	\$17,039.00	\$486.07
08/09/04	July 1, 2004- July 31, 2004	\$24,443.00	\$47.38	\$24,443.00	\$47.38
09/09/04	August 1, 2004- August 31, 2004	\$14,092.50	\$262.91	\$14,092.50	\$262.91
10/07/04	September 1, 2004- September 30, 2004	\$2,201.00	\$259.75	\$2,201.00	\$259.75
11/08/04	October 1, 2004- October 31, 2004	\$28,560.00	\$30.75	\$28,560.00	\$30.75
12/09/04	November 1, 2004- November 30, 2004	\$11,232.50	\$70.70	\$11,232.50	\$70.70
01/12/05	December 1, 2004- December 31, 2004	\$10,131.00	\$475.46	\$10,131.00	\$475.46
02/09/05	January 1, 2005- January 31, 2005	\$16,727.00	\$105.75	\$16,727.00	\$105.75
03/09/05	February 1, 2005- February 28, 2005	\$26,860.00	\$32.33	\$26,860.00	\$32.33
04/08/05	March 1, 2005- March 31, 2005	\$13,638.50	\$538.66	\$13,638.50	\$538.66
05/06/05	April 1, 2005- April 30, 2005	\$5,078.00	\$129.68	\$5,078.00	\$129.68
06/09/05	May 1, 2005- May 31, 2005	\$24,677.50	\$32.04	\$24,677.50	\$32.04
07/08/05	June 1, 2005- June 30, 2005	\$12,057.50	\$156.81	\$12,057.50	\$156.81
08/08/05	July 1, 2005- July 31, 2005	\$13,649.00	\$665.39	\$13,649.00	\$665.39
09/08/05	August 1, 2005- August 31, 2005	\$19,686.00	\$0.00	\$19,686.00	\$0.00
10/13/05	September 1, 2005- September 30, 2005	\$19,931.00	\$0.00	\$19,931.00	\$0.00
11/10/05	October 1, 2005- October 31, 2005	\$21,781.00	\$334.60	\$21,781.00	\$334.60
12/12/05	November 1, 2005- November 30, 2005	\$22,727.50	\$427.55	\$22,727.50	\$427.55
1/9/06	December 1, 2005- December 31, 2005	\$10,335.00	\$0.00	\$10,335.00	\$0.00

02/10/06	January 1, 2006- January 31, 2006	\$12,401.00	\$827.44	\$12,401.00	\$827.44
03/08/06	February 1, 2006- February 28, 2006	\$25,605.50	\$19.64	\$25,605.50	\$19.64
04/06/06	March 1, 2006- March 31, 2006	\$32,419.00	\$264.14	\$32,419.00	\$264.14
05/08/06	April 1, 2006- April 30, 2006	\$26,496.00	\$789.83	\$26,496.00	\$789.83
06/21/06	May 1, 2006- May 31, 2006	\$22,996.00	\$43.82	\$22,996.00	\$43.82
12/8/06	June 1, 2006- June 30, 2006	\$9,674.50	\$0.00	\$9,674.50	\$0.00
12/28/06	July 1, 2006- July 31, 2006	\$13,967.00	\$648.60	\$13,967.00	\$648.60
11/10/06	August 1, 2006- August 31, 2006	\$22,714.90	\$53.90	\$22,714.90	\$53.90
11/16/06	September 1, 2006- September 30, 2006	\$22,629.00	\$31.52	\$22,628.10	\$31.52
11/28/06	October 1, 2006- October 31, 2006	\$15,636.50	\$472.43	\$15,636.50	\$472.43
01/04/07	November 1, 2006- November 30, 2006	\$10,158.00	\$4.80	\$10,158.00	\$4.80
01/15/07	December 1, 2006- December 31, 2006	\$10,567.00	\$14.80	\$10,567.00	\$14.80
05/03/07	January 1, 2007- January 31, 2007	\$28,915.00	\$632.64	\$28,915.00	\$632.64
05/03/07	February 1, 2007- February 28, 2007	\$38,358.00	\$35.88	\$38,358.00	\$35.88
05/03/07	March 1, 2007- March 31, 2007	\$22,023.00	\$70.48	\$22,023.00	\$70.48
05/10/07	April 1, 2007- April 30, 2007	\$10,877.00	\$78.40	\$10,877.00	\$78.40
6/19/07	May 1, 2007- May 31, 2007	\$24,573.00	\$39.52	\$24,573.00	\$39.52
7/17/07	June 1, 2007- June 30, 2007	\$30,217.00	\$601.56	\$30,217.00	\$601.56
3/7/08	July 1, 2007- July 31, 2007	\$32,004.00	\$31.44	\$32,004.00	\$31.44
3/7/08	August 1, 2007- August 31, 2007	\$36,986.50	\$39.68	\$36,986.50	\$39.68
3/7/08	September 1, 2007- September 30, 2007	\$23,018.00	\$1,108.59	\$23,018.00	\$1,108.59
6/6/08	October 1, 2007- October 31, 2007	\$22,493.50	\$1.76	\$22,493.50	\$1.76
6/6/08	November 1, 2007- November 30, 2007	\$23,889.50	\$0.00	\$23,889.50	\$0.00
6/6/08	December 1, 2007- December 31, 2007	\$8,786.50	\$0.00	\$8,786.50	\$0.00

8/6//08	January 1, 2008- January 31, 2008	\$24,338.00	\$0.00	\$24,338.00	\$0.00
8/6//08	February 1, 2008- February 29, 2008	\$20,847.50	\$0.00	\$20,847.50	\$0.00
4/17/08	March 1, 2008- March 31, 2008	\$7,306.50	\$0.00	\$7,306.50	\$0.00
5/7/08	April 1, 2008- April 30, 2008	\$16,163.00	\$0.00	\$16,163.00	\$0.00
6/10/08	May 1, 2008- May 31, 2008	\$11,542.50	\$0.00	\$11,542.50	\$0.00
7/7/08	June 1, 2008- June 30, 2008	\$37,931.50	\$790.69	\$37,931.50	\$790.69
8/5/08	July 1, 2008- July 31, 2008	\$26,055.00	\$0.00	\$26,055.00	\$0.00
8/5/08	August 1, 2008- August 31, 2008	\$14,180.83	\$1,332.28	\$14,180.83	\$1,332.28
10/30/08	September 1, 2008- September 30, 2008	\$32,363.00	\$44.24	\$32,363.00	\$44.24
11/10/08	October 1, 2008- October 31, 2008	\$19,026.00	\$0.00	\$19,026.00	\$0.00
1/14/09	November 1, 2008- November 30, 2008	\$23,606.50	\$468.42	\$23,606.50	\$468.42
1/15/09	December 1, 2008- December 31, 2008	\$22,850.00	\$64.32	\$22,850.00	\$64.32
4/23/09	January 1, 2009- January 31, 2009	\$10,853.00	\$ 63.52	\$10,853.00	\$ 63.52
4/16/09	February 1, 2009- February 28, 2009	\$13,109.00	\$198.01	\$13,109.00	\$198.01
4/28/09	March 1, 2009- March 31, 2009	\$19,604.00	\$33.28	\$19,604.00	\$33.28
5/7/09	April 1, 2009- April 30, 2009	\$23,475.00	\$68.56	\$23,475.00	\$68.56
6/4/09	May 1, 2009- May 31, 2009	\$15,414.50	\$157.28	\$15,414.50	\$157.28
7/7/09	June 1, 2009- June 30, 2009	\$19,387.50	\$490.50	\$19,387.50	\$490.50
8/7/09	July 1, 2009- July 31, 2009	\$13,041.00	\$310.53	\$10,432.80	\$310.53
9/10/09	August 1, 2009- August 31, 2009	\$20,399.50	\$260.21	\$17,573.83	\$260.21
10/6/09	September 1, 2009- September 30, 2009	\$15,066.00	\$361.29	\$12,052.80	\$ 361.29
11/6/09	October 1, 2009- October 31, 2009	\$18,756.50	\$176.34	\$15,005.50	\$176.34
12/8/09	November 1, 2009- November 30, 2009	\$20,911.00	\$366.95	\$16,728.80	\$366.95
01/11/10	December 1, 2009- December 31, 2009	\$6,365.50	\$281.26	\$5,092.40	\$281.26

02/05/10	January 1, 2010- January 31, 2010	\$19,376.00	\$120.35	\$0.00	\$0.00
<b>03/08/10</b>	<b>February 1, 2010- February 28, 2010</b>	<b>\$18,016.00</b>	<b>\$300.11</b>	<b>\$0.00</b>	<b>\$0.00</b>

PLEASE TAKE NOTICE that Warren H. Smith and Associates, P. C. (the "Applicant") has today filed this Notice of Monthly Fee and Expense Invoice for February 1, 2010 through February 28, 2010 (this "Monthly Fee Statement") pursuant to the Order Appointing Fee Auditor and Establishing Related Procedures Concerning the Allowance and Payment of Compensation and Reimbursement of Expenses of Applicants and Consideration of Fee Applications (the "Fee Auditor Order").

PLEASE TAKE FURTHER NOTICE that responses or objections to this Monthly Fee Statement, if any, must be filed on or before March 29, 2010 at 4:00 p.m. (prevailing Eastern Time) (the "Objection Deadline") with the United States Bankruptcy Court for the District of Delaware, 5th Floor, 824 Market Street, Wilmington, Delaware 19801.

PLEASE TAKE FURTHER NOTICE that upon the expiration of the Objection Deadline, the Applicant shall certify in writing to the Debtors and Counsel to the Debtors that no objection, or an objection, has been filed with the Court relative to this Notice, whichever is applicable, after which the Debtors shall pay to the Professional an amount equal to the lesser of (i) 80 per cent of the fees and 100 percent of the expenses requested in this Monthly Fee Statement or (ii) 80 per cent of the fees and 100 percent of the expenses not subject to an objection. All fees and expenses in this Monthly Fee Statement will be included in the next interim application for compensation and reimbursement of expenses to be filed and served by the Applicant at a later date, and will be subject to objection at such time.

Dated: March 8, 2010

Respectfully submitted,

**WARREN H. SMITH & ASSOCIATES, P. C.**

By: 

Warren H. Smith

State Bar No. 18757050

325 N. Saint Paul

Suite 1250

Dallas, Texas 75201

(214) 698-3868

(214) 722-0081 (FAX)

**FEE AUDITOR**

**CERTIFICATE OF SERVICE**

I, Warren H. Smith, certify that I am not less than 18 years of age, and that service of a copy of the attached *Notice of Monthly Fee and Expense Invoice* (for Warren H. Smith & Associates, P. C. for February, 2010) was made March 8, 2010, upon the Notice Parties identified as "Exhibit A" in the Order Appointing Fee Auditor and Establishing Related Procedures Concerning the Allowance and Payment of Compensation and Reimbursement of expenses of Professionals and Members of Official Committees and Consideration of Fee Applications (as modified) via email, or by hand delivery to those Parties located in Wilmington, Delaware.

Under penalty of perjury, I declare that the foregoing is true and correct.



Warren H. Smith

## **Exhibit A**

### **Notice of Parties**

#### **The Debtors**

David B. Siegel, Esquire  
Sr. V.P. and Gen. Counsel  
W.R. Grace & Co.  
7500 Grace Drive  
Columbia MD 21044  
[william.sparks@grace.com](mailto:william.sparks@grace.com)

#### **Co-Counsel for the Debtors**

James H.M. Sprayregen, Esquire  
Kirkland & Ellis  
200 East Randolph Drive  
Chicago, IL 60601  
[james\\_kapp@chicago.kirkland.com](mailto:james_kapp@chicago.kirkland.com)

Laura Davis Jones, Esquire  
David Carickhoff, Esquire  
Pachulski, Stang, Ziehl, Young & Jones,  
P.C.  
919 Market Street, Suite 1600  
Wilmington, DE 19801  
[dcarickhoff@pszyj.com](mailto:dcarickhoff@pszyj.com)

#### **Co-Counsel to the Debtor-in-Possession**

J. Douglas Bacon, Esquire  
Latham & Watkins  
Sears Tower, Suite 5800  
Chicago IL 60606  
[david.heller@lw.com](mailto:david.heller@lw.com)  
[carol.hennessey@lw.com](mailto:carol.hennessey@lw.com)

Steven M. Yoder, Esquire  
The Bayard Firm  
222 Delaware Avenue  
Wilmington, DE 19801  
[syoder@bayardfirm.com](mailto:syoder@bayardfirm.com)

#### **Counsel to the Official Committee of Unsecured Creditors**

Lewis Kruger, Esquire  
Stroock Stroock and Lavan  
180 Maiden Lane  
New York NY 10038-4982  
[rserrette@stroock.com](mailto:rserrette@stroock.com)

Michael R. Lastowski, Esquire  
Duane, Morris & Heckscher, LLP  
1100 N. Market Street, Suite 1200  
Wilmington, DE 19801-1246  
[mlastowski@duanemorris.com](mailto:mlastowski@duanemorris.com)

#### **Counsel to the Official Committee of Asbestos Property Damage Claimants**

Scott L. Baena, Esquire  
Bilzin Sumberg Dunn Baena Price &  
Axelrod  
First Union Financial Center  
200 South Biscayne Blvd., Suite 2500  
Miami FL 33131  
[jsakalo@bilzin.com](mailto:jsakalo@bilzin.com)  
Michael B. Joseph, Esquire  
Ferry & Joseph, P.A.  
824 Market Street, Suite 904  
P. O. Box 1351  
Wilmington, DE 19899  
[ttacconelli@ferryjoseph.com](mailto:ttacconelli@ferryjoseph.com)

**Counsel to the Official Committee of  
Personal Injury Claimants**

Elihu Inselbuch, Esquire  
Caplin & Drysdale, Chartered  
375 Park Avenue, 35<sup>th</sup> Floor  
New York, NY 10152  
[pvn1@capdale.com](mailto:pvn1@capdale.com)

Matthew G. Zaleski, III, Esquire  
Campbell & Levine  
800 N. King St #301  
Wilmington, DE 19801  
[mgz@del.camlev.com](mailto:mgz@del.camlev.com)

**The Official Committee of Equity Holders**

Philip Bently, Esquire  
Kramer, Levin, Naftalis & Frankel LLP  
919 Third Avenue  
New York, NY 10022  
[pbentley@kramerlevin.com](mailto:pbentley@kramerlevin.com)

Teresa K.D. Currier, Esquire  
Klett Rooney Leber & Schorling  
1000 West Street, Suite 1410  
Wilmington, DE 19801  
[currier@klettrooney.com](mailto:currier@klettrooney.com)  
[jwaxman@klettrooney.com](mailto:jwaxman@klettrooney.com)

**The Office of the United States Trustee**

Office of the U.S. Trustee  
844 King Street, Room 2311  
Wilmington, DE 19801